

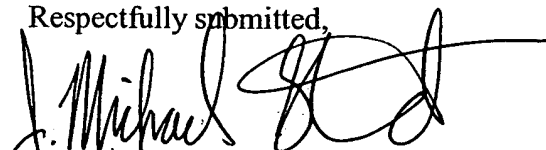
In re: Caldwell et al.
Serial No.: 09/522,117
Filed: March 9, 2000
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Application No. 09/631,761.¹ Claims 21-27 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims of copending Application No. 09/570,226. Applicants appreciate being made aware of the potential double patenting problem that may arise if one of the applications became a patent. Applicants respectfully request that these rejections be withdrawn and the present application allowed to issue as a patent. MPEP § 804 (I)(B).

The concerns of the Action addressed in full, Applicants respectfully request that the present rejections be withdrawn and that a Notice of Allowance be issue forthwith.

Respectfully submitted,


J. Michael Strickland
Registration No. 47,115

Enclosure: Declaration of Dr. William S. Caldwell



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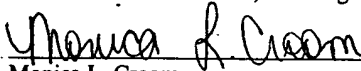
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Monica L. Croom

Date of Signature: October 23, 2001

¹Applicants respectfully submit that Application 09/631,761 was cited in error as this is not a copending application of Applicants. Applicants respectfully submit that the Action may have intended to cite Application 08/631,761, which is a copending Application of Applicants.